

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
)
v.)
)
ROBERT GONZALES)

NO. 3:14-00090-3
JUDGE CAMPBELL

ORDER

Pending before the Court is the United States Appeal From Release of Detention (Docket No. 159)¹. In the current Appeal, the Government “requests the Court stay any order entered by the Magistrate Court in the Central District of California releasing the defendant pending a de novo review of the record of the detention hearing.” (Docket No. 159, p. 8). The Government has filed the minutes of the Court proceeding wherein Defendant was released with conditions (Docket No. 159-1). The request for a stay of the release order by the Magistrate Judge in the Central District of California is GRANTED for the reasons set forth herein.

The Government represents in its Appeal that on June 27, 2014 the Defendant had a detention hearing and the “Magistrate Judge then released the defendant with conditions” and “stayed her order until Tuesday, July 1, 2014, at 5:00 p.m. Pacific Standard Time.” (Docket No. 159, p. 2). The Government asks the Court to stay the release order of the Magistrate Judge pending appeal.


The minutes of the Court proceeding do not state why the presumption of detention was rebutted or why the conditions of release are satisfactory to address the risk of flight and danger to the community. 18 U.S.C. § 3142. Accordingly, the request of the Government to stay the order releasing the Defendant is GRANTED. Defendant Robert Gonzales shall be detained pending the appeal. 18 U.S.C. § 3145.

¹ The United States previously filed an Appeal From Release of Detention (Docket No. 154), which the Court denied by Order (Docket No. 157) today because the Government did not provide to the Court the Order it wanted stayed. The file now has been transferred to this District (Docket Nos. 162, 163).

The parties shall file all briefs and supporting materials regarding this appeal on or before Saturday, July 5, 2014. The Court will rule promptly thereafter.

The Magistrate Judge shall appoint counsel for the Defendant in this district.

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE